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OCT 24 2005

PATENT

Attorney Docket No.: A-68752-1/RFT/RMK

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* application of:HAMMERMAN, *et al.*

Serial No.: 09/472,662

Filed: December 27, 1999

For: COMPOSITION AND METHOD  
FOR IMPROVING FUNCTION  
OF EMBRYONIC KIDNEY  
TRANSPLANTS

Examiner: A. Gupta

Art Unit: 1653

CERTIFICATE OF  
FACSIMILE TRANSMISSIONI hereby certify that this correspondence, including listed  
enclosures, is being facsimile transmitted to the U.S. Patent  
Office on January 14, 2002.Signed: Wendy Wilson  
Wendy Wilson

## RESPONSE TO OFFICE ACTION

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office communication mailed January 2, 2002 in the above  
referenced application.

At the direction of the Examiner, we are transmitting herewith the Response to Office  
Action mailed October 4, 2001 and received by the U.S. Patent Office on October 9, 2001.

Although we believe no fees are due, the Commissioner is hereby authorized to  
charge any fees, including extension fees, to Deposit Account No. 06-1300 (Our Ref.  
A-68752-1/RFT/RMK).

Respectfully submitted,

FLEHR HOHBACK TEST  
ALBRITTON & HERBERT LLPDated: 1/14/01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## RESPONSE TO OFFICE ACTION

**Assistant Commissioner of Patents  
Washington, D.C. 20231**

Sir:

This amendment is in response to the Office Action mailed June 5, 2001. A Petition for Extension of Time for one month, together with the required fee pursuant to 37 C.F.R. 1.17(a)(1), extending the period for response to October 5, 2001, are submitted herewith making this a timely response.

The Commissioner is authorized to charge any additional fees, including any extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-68752-1/RFT/RMS).

## **AMENDMENTS**

**In the Claims:**

**Please amend the claims as follows:**

3. (Amended) Embryonic metanephric tissue which has been pretreated with a growth factor composition comprising at least one growth factor for metanephric development wherein said pretreated metanephric tissue has enhanced renal development or function upon transplantation into recipients as compared to similarly transplanted metanephric tissue which has not been pretreated with said growth factor composition.
4. (Amended) The embryonic metanephric tissue of claim 3 wherein said growth factor is selected from the group consisting of insulin-like growth factor I, insulin-like growth factor II, vascular endothelial growth factor, transforming growth factor alpha, transforming growth factor beta, hepatocyte growth factor,